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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,384	06/19/2006	Werner Fleischer	00049P0008WOUS	5939
30008 7590 09/28/2007 GUDRUN E. HUCKETT DRAUDT SCHUBERTSTR. 15A WUPPERTAL, 42289 GERMANY			EXAMINER CHIESA, RICHARD L	
			ART UNIT 1724	PAPER NUMBER
			MAIL DATE 09/28/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/596,384

**Applicant(s)**

FLEISCHER, WERNER

**Examiner**

Richard L. Chiesa

**Art Unit**

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-21 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>June 12, 2006</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The preliminary amendment filed on June 12, 2006 has been entered.

### ***Priority***

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

3. The drawings filed on June 12, 2006 are accepted by the examiner.

### ***Specification***

4. The disclosure is objected to because of the following informalities: (A) The specification must be amended to indicate that this case is a national stage application of International Application No. PCT/EP04/14027 filed on December 9, 2004. (B) The word "arranged" at the end of line 19 on page 1 of the specification must apparently be changed to --arrange--.

Appropriate correction is required.

### ***Allowable Subject Matter***

5. Claims 1-21 are allowed.

6. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

7. The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach or fairly suggest the recited air treating device with the recited first air quality sensor, external air conduit, ionization apparatus, ozone sensor, air humidity sensor, airflow sensor, temperature adjustment device, supply conduit, chamber or hood device, exhaust air conduit, second air quality sensor, recirculating air conduit, and control device in the recited positioning and operative relationship.

### ***Conclusion***

8. The prior art made of record is considered pertinent to applicant's disclosure. These references have been cited as art of interest to show other air cleaning systems.

9. This application is in condition for allowance except for the following formal matters:

(A) The specification must be corrected as explained above in paragraph 4. (B) The expressions "chamber-like" and "hood-like" located throughout the claims are somewhat vague and must apparently be changed to --chamber-- (or --chamber-shaped--) and --hood-- (or --hood-shaped--), respectively. Note MPEP section 2173.05(b)F. (C) The phrase "or a" on the twelfth line of claim 1 must apparently be changed to --or the--. (D) Claim 4 must be amended to

Art Unit: 1724

depend from claim 3 in order to provide proper antecedent basis for many of the terms in claim 4. (E) Claims 10 and 16 must be amended to depend from claim 7 in order to provide proper antecedent basis for many of the terms in claims 10 and 16. (F) The word "camping" on the fifth line of claim 16 must be changed to --clamping-- in order to correct an obvious typographical and/or grammatical error. (G) The second line of claim 17 apparently contains typographical and/or grammatical errors and must be reviewed by the applicant and corrected accordingly.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard L. Chiesa whose telephone number is (571) 272-1154.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane S. Smith, can be reached at (571) 272-1166.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1700 receptionist whose telephone number is (571) 272-1700.

Facsimile correspondence must be transmitted through (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 1724

Richard L. Chiesa  
September 27, 2007

*Richard L. Chiesa*

**RICHARD L. CHIESA  
PRIMARY EXAMINER  
ART UNIT 1724**

*Sept. 27, 2007*